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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE WELLS FARGO & COMPANY
SHAREHOLDER DERIVATIVE
LITIGATION

Lead Case No. 3:16-cv-05541-JST

**STIPULATION AND ~~PROPOSED~~
ORDER SETTING BRIEFING
SCHEDULE**

The Honorable Jon S. Tigar

WHEREAS, Lead Plaintiffs and Defendants previously stipulated to a schedule concerning briefing on the threshold issue of demand futility, while preserving the Defendants' right to assert other defenses if necessary (including by motion or otherwise), and the Court

entered the stipulated schedule, with modification, on February 8, 2017 (Doc. No. 81);

WHEREAS, pursuant to the stipulated schedule, Lead Plaintiffs filed their Consolidated Amended Complaint on February 24, 2017 (Doc. No. 83);

WHEREAS, the parties have conferred and agreed upon a modified schedule that provides four days fewer for Defendants to file their expected motion to dismiss on demand futility, provides Lead Plaintiffs the same period of time to oppose any such motion, and provides Defendants four additional days to file a reply in support of any such motion, with the final submission on the same date as that ordered by the Court, as follows:

	New Proposed Deadline	Existing Deadline
Motion to Dismiss	Friday, March 17	Tuesday, March 21
Opposition	Monday, April 3	Friday, April 7
Reply (no change)	Friday, April 14	Friday, April 14
Hearing (no change)	Thursday, May 4	Thursday, May 4

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Lead Plaintiffs and Defendants, each through their counsel, that the following schedule shall be in effect for briefing on the question of whether Lead Plaintiffs' Amended Consolidated Complaint adequately pleads demand futility:

Last Day to File Motion to Dismiss on Demand Futility:	March 17, 2017
Last Day to File Response to Motion to Dismiss:	April 3, 2017
Last Day to File Reply to Responses:	April 14, 2017
Hearing on Motion to Dismiss:	May 4, 2017, 2 pm

Dated: February 28, 2017

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Brendan P. Cullen, in compliance with General Order 45, Section X(B), hereby attest that I obtained the concurrence of all of the above-listed counsel in filing this document.

DATED: February 28, 2017

/s/ Brendan P. Cullen

ORDER

THE FOREGOING STIPULATION IS APPROVED AND IT IS SO ORDERED.

Dated: March 1, 2017



THE HONORABLE JON S. TIGAR
UNITED STATES DISTRICT JUDGE